

Message Text

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44

ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 CAB-09 CIAE-00 COME-00 DODE-00 EB-11 INR-10

NSAE-00 RSC-01 FAA-00 DOTE-00 PM-07 H-03 NSC-10 PA-03

PRS-01 SPC-03 SS-15 ACDA-19 IO-13 AF-10 ARA-16 EA-11

SY-10 SCA-01 JUSE-00 DRC-01 /193 W

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O R 151330Z SEP 73

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 780

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY TEL AVIV

AMCONSUL MONTREAL

USUN NEW YORK 1708

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E.O. 11652: GDS

TAGS: ICAO ETRN

SUBJECT: ICAO AIR SECURITY CONFERENCE: QUESTIONS OF PRINCIPLE
VOTE

MONTREAL FOR US REP ICAO

PLS PASS TO: LITTELL/CAB; DRISCOLL/DOT; STEWART/FAA

REF: STATE 183904

1. VOTES UPON QUESTIONS OF PRINCIPLE IN SEPT 14 CONFERENCE
RESULTED IN (A) PRESERVATION BY SIMPLE MAJORITY WITH NUMEROUS
ABSTENTIONS OF SOVIET PROPOSAL WHICH HAS NOW BEEN REFERRED
TO DRAFTING GROUP; (B) PRESERVATION BY SIMPLE MAJORITY OF
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GREEK PROPOSAL AND REFERENCE TO DRAFTING GROUP; (C) APPARENT

ELIMINATION OF PROSPECTS FOR ACCEPTABLE INDEPENDENT CONVENTION. FOREGOING WILL BE REPORTED IN DETAIL AS SOON AS POSSIBLE. HOWEVER, THIS MESSAGE BEING SENT FOR DEPT'S IMMEDIATE INFORMATION.

2. AT OPENING OF CONFERENCE SESSION USDEL INFORMED SOVDEL THAT US COULD SUPPORT SOVIET PROPOSAL ONLY IF SOVDEL SUPPORTED CONVENTION ACCEPTABLE TO USDEL (INCLUDING COMMISSION OF EXPERTS AND POSSIBILITY OF RECOMMENDATIONS TO NON-PARTIES) AND IN CONTEXT OF ACCEPTANCE BY CONFERENCE OF BOTH SOVIET PROPOSAL AND EFFECTIVE INDEPENDENT CONVENTION. SOVDEL IN CRITICAL PRINCIPLES VOTES CONCERNING INDEPENDENT CONVENTION VOTED AGAINST US PREFERENCES AND IN ANY EVENT VOTES APPEAR TO HAVE ELIMINATED PROSPECTS FOR CONVENTION. ACCORDINGLY, PURSUANT INSTRUCTIONS IN REF A USDEL WILL TAKE APPROPRIATE STEPS IN REMAINING DAYS IN EFFORT ENSURE SOVIET PROPOSAL DOES NOT EMERGE FROM CONFERENCE.

3. PRINCIPLES REFLECTED IN GREEK PROPOSAL RECEIVED UNEXPECTED SUPPORT FROM AFRICAN/ARAB BLOCS AND ACCORDINGLY WERE APPROVED BY SIMPLE MAJORITY AND REFERRED TO DRAFTING GROUP. IN EFFORT COMPLY WITH DEPT'S REQUEST THAT USDEL COORDINATE POSITION ON GREEK PROPOSAL WITH ISRAELI DEL, USDEL VOTED IN FAVOR OF ONE PRINCIPLE UNDERLYING GREEK PROPOSAL AND ABSTAINED ON PRINCIPLE CONCERNING UNIVERSAL JURISDICTION ASPECT. IN EVENING AFTER DISCOURAGING PRINCIPLES VOTE ON INDEPENDENT CONVENTION, ISRAELI DEL HARAN INFORMED USDEL HUFFMAN THAT WHILE ISRAEL SUPPORTED GREEK PROPOSAL, ISRAEL WOULD PREFER NO RESULT OF DIPLOMATIC CONFERENCE AT THIS TIME.

3. PRINCIPLES QUESTIONS CONCERNING INDEPENDENT CONVENTION WERE REDRAFTED BY CONFERENCE PRESIDENT WITH USDEL ASSISTANCE SO AS TO CRYSTALIZE ISSUE OF USE OF INDEPENDENT COMMISSION OF EXPERTS. QUESTION CONCERNING USE OF SUCH COMMISSION WHICH WOULD REPORT TO ORGAN WITHIN FRAMEWORK OF ICAO FAILED TO CARRY BY THREE VOTES WITH ALMOST ALL AFRICANS, ARABS AND SOVIET BLOCS AS WELL AS UK AND FRANCE OPPOSING. EVEN IF QUESTION HAD CARRIED BY SLIM MAJORITY USDEL DOUBTS SUFFICIENT SUPPORT WOULD HAVE MATERIALIZED ENABLE CONCEPT SURVIVE CONFERENCE. IN REMAINING PRINCIPLES VOTES THE DECISION OF LEGAL COMMITTEE THAT RECOMMENDED LIMITED OFFICIAL USE

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ACTIONS COULD BE TRANSMITTED TO NON-PARTIES TO CONVENTION WAS DECISIVELY OVERRULED THEREBY ELIMINATING BASIS UPON WHICH NORDIC PROPOSAL WAS CONSTRUCTED. POSITIVE VOTE WAS TAKEN ON PRINCIPLE WHETHER RECOMMENDATION COULD BE TRANSMITTED TO A STATE PARTY TO CONVENTION NOT ALLEGED TO BE IN DEFAULT. THOUGH THIS MIGHT BE REGARDED AS OVERTURNING ANOTHER DECISION BY LEGAL COMMITTEE THAT STATE PARTIES COULD NOT CONCERT AMONG THEMSELVES REGARDING DEFAULT OF NON-PARTY, USDEL BELIEVES FAVOR-

ABLE VOTE REFLECTED PRIMARILY CONFUSION OF MOST DELS. IN LIGHT
VOTES ON OTHER PRINCIPLES, USDEL DOES NOT BELIEVE LATTER VOTE
SHOULD BE REGARDED AS VIABLE BASIS UPON WHICH ACCEPTABLE
CONVENTION MIGHT BE CONSTRUCTED. VOLPE

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